

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

AFFYMETRIX, INC.,

Plaintiff/Counter-
Defendant,

v.

ILLUMINA, INC.,

Defendant/Counter-
Plaintiff.

C.A. No. 04-901-JJF

**NOTICE OF DEPOSITION OF ILLUMINA, INC.
PURSUANT TO FED. R. CIV. P. 30(B)(6)**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Plaintiff Affymetrix, Inc. (“Affymetrix”), by and through their attorneys, will take deposition of Illumina, Inc. (“Illumina”) by oral examination at the Hilton San Diego Airport/Harbor Island Hotel, 1960 Harbor Island Drive, San Diego, California, 92101. Illumina is directed, pursuant to Federal Rule of Civil Procedure 30(b)(6), to designate one or more officers, directors, managing agents, or other persons who consent to testify on its behalf with respect to documents bates stamped IAFP00643998 – 644247; and IAFP0064429 - 644432.

The deposition will commence at 9:00a.m. on September 11, 2006. The deposition will be recorded stenographically, with the capacity to provide instant visual display or playback of the testimony, and by video by an officer authorized to administer oaths. All counsel are invited to attend and examine the witness.

MORRIS, NICHOLS, ARSHT & TUNNELL

/s/ Maryellen Noreika

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September 5, 2006
535739

CERTIFICATE OF SERVICE

I hereby certify that on September 5, 2006, I electronically filed the foregoing document using CM/ECF which will send notification of such filing(s) to the following:

Richard K. Herrmann
Morris, James, Hitchens & Williams LLP

I also certify that copies were caused to be served on September 5, 2006 upon the following in the manner indicated:

BY HAND

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